

House File 104 - Introduced

HOUSE FILE 104

BY WINDSCHITL

A BILL FOR

1 An Act relating to the manufacture and sale of a mechanical
2 device designed to suppress the sound of a firearm when
3 fired.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 724.2, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 6A. Any person, firm, or corporation who
4 under the laws of this state and the United States is lawfully
5 engaged in the manufacture or sale of a mechanical device
6 specifically constructed and designed so that when attached to
7 a firearm it silences, muffles, or suppresses the sound when
8 fired.

9 Sec. 2. NEW SECTION. **724.28A Manufacture and sale of**
10 **firearm suppressors.**

11 A mechanical device specifically constructed and designed
12 so that when attached to a firearm it silences, muffles, or
13 suppresses the sound when fired, which is manufactured and
14 sold in Iowa and which remains within the borders of Iowa, is
15 not subject to federal law or federal regulation, including
16 registration, under the authority of the Congress of the United
17 States to regulate interstate commerce.

18 EXPLANATION

19 This bill provides that a mechanical device specifically
20 constructed and designed so that when attached to a firearm it
21 silences, muffles, or suppresses the sound when fired, which
22 is manufactured and sold in Iowa and which remains within the
23 borders of Iowa, is not subject to federal law or federal
24 regulation, including registration, under the authority of the
25 United States Congress to regulate interstate commerce.

26 Current Iowa law provides that a mechanical device
27 specifically constructed and designed so that when attached to
28 a firearm it silences, muffles, or suppresses the sound when
29 fired is an offensive weapon. Under Code section 724.3, any
30 person who knowingly possesses an offensive weapon commits a
31 class "D" felony, punishable by confinement for no more than
32 five years and a fine of at least \$750 but not more than \$7,500.
33 The bill amends Code section 724.2 to authorize any person,
34 firm, or corporation who under the laws of this state and the
35 United States is lawfully engaged in the manufacture or sale

1 of a mechanical device specifically constructed and designed
2 so that when attached to a firearm it silences, muffles, or
3 suppresses the sound when fired to lawfully possess such an
4 offensive weapon.